

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

|                           |   |                       |
|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, | ) |                       |
|                           | ) |                       |
| Plaintiff,                | ) |                       |
|                           | ) |                       |
| v.                        | ) | 2:12-CR-051-KJD-(GWF) |
|                           | ) |                       |
| MARQUIES McKINZIE,        | ) |                       |
|                           | ) |                       |
| Defendant.                | ) |                       |

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on October 23, 2012, defendant MARQUIES McKINZIE pled guilty to a Criminal Indictment, charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Criminal Indictment, ECF No. 5; Minutes of Change of Plea Proceedings, ECF No. 35; Plea Memorandum, ECF No. 36.

This Court finds defendant MARQUIES McKINZIE agreed to the forfeiture of the property set forth in Forfeiture Allegation of the Criminal Indictment and agreed to in the Plea Memorandum. Criminal Indictment, ECF No. 5; Minutes of Change of Plea Proceedings, ECF No. 35; Plea Memorandum, ECF No. 36.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), that the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the Plea Memorandum and the offense to which defendant MARQUIES McKINZIE pled guilty.

...

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
2 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 3 a. a Phoenix Arms Co., .25 caliber Raven handgun, serial number 3064279; and
- 4 b. any and all ammunition (“property”).

5 This Court finds the United States of America is now entitled to, and should, reduce the  
6 aforementioned property to the possession of the United States of America.

7 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
8 United States of America should seize the aforementioned property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
10 defendant MARQUIES McKINZIE in the aforementioned property is forfeited and is vested in the  
11 United States of America and shall be safely held by the United States of America until further order  
12 of the Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
14 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
15 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
16 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
17 the name and contact information for the government attorney to be served with the petition,  
18 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
20 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
22 shall be served upon the Asset Forfeiture Attorney of the United States Attorney’s Office at the  
23 following address at the time of filing:

24 ...

25 ...

26 ...

1 Michael A. Humphreys  
Assistant United States Attorney  
2 Daniel D. Hollingsworth  
Assistant United States Attorney  
3 Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
4 Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
6 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
7 following publication of notice of seizure and intent to administratively forfeit the above-described  
8 property.

9 DATED this 25th day of October, 2012.

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UNITED STATES DISTRICT JUDGE  
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